



Substitute Senate Bill No. 966

Public Act No. 17-219

***AN ACT CONCERNING ECONOMIC DEVELOPMENT PROGRAMS
ADMINISTERED BY THE DEPARTMENT OF ECONOMIC AND
COMMUNITY DEVELOPMENT, THE MINORITY BUSINESS
INITIATIVE ADVISORY BOARD, THE STATE ECONOMIC
STRATEGIC PLAN AND THE EVALUATION OF BUSINESS
ASSISTANCE AND INCENTIVE PROGRAMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (d) of section 32-41 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(d) On or before September 1, 2013, January 1, 2014, September 1, 2014, January 1, 2015, September 1, 2015, January 1, 2016, September 1, 2016, January 1, 2017, September 1, 2017, January 1, 2018, September 1, 2018, January 1, 2019, and September 1, 2019, the Commissioner of Economic and Community Development shall report in accordance with the provisions of section 11-4a to the joint standing committees of the General Assembly having cognizance of matters relating to commerce and finance, revenue and bonding on (1) the projects funded through the first five plus program, (2) the number of jobs created, [and] (3) the net rate of return to the state for the entire portfolio of the program, taking into account all loans that have been forgiven and all tax credits that have been allowed in accordance with

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this section, (4) the impact on the economy of this state, and (5) based on such information, recommendations for any modifications to the program, including, but not limited to, whether the program should continue. Not later than February 1, 2019, said joint standing committees shall convene a joint public hearing on the most recent report submitted by the commissioner pursuant to this section.

Sec. 2. Section 32-7g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) There is established within the Department of Economic and Community Development the Small Business Express program. Said program shall provide small businesses with various forms of financial assistance, using a streamlined application process to expedite the delivery of such assistance. The Commissioner of Economic and Community Development, at his or her discretion, may partner with the lenders in the Connecticut Credit Consortium, established pursuant to section 32-9yy, in order to fulfill the requirements of this section. A small business eligible for assistance through said program shall (1) employ, on at least fifty per cent of its working days during the preceding twelve months, not more than one hundred employees, (2) have operations in Connecticut, (3) have been registered to conduct business for not less than twelve months, and (4) be in good standing with the payment of all state and local taxes and with all state agencies.

(b) The Small Business Express program shall consist of various components, including (1) a revolving loan fund, as described in subsection (d) of this section, to support small business growth, (2) a job creation incentive component, as described in subsection (e) of this section, to support hiring, (3) a matching grant component, as described in subsection (f) of this section, to provide capital to small businesses that can match the state grant amount, [and] (4) not more than two minority business revolving loan funds, as described in subsection (g) of this section, to support the growth of minority-owned

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businesses, and (5) a component established in consultation with representatives with Connecticut-based banks and a banking industry association, as described in subsection (h) of this section. The Commissioner of Economic and Community Development shall work with eligible small business applicants to provide a package of assistance using the financial assistance provided by the Small Business Express program and may refer small business applicants to the Subsidized Training and Employment program established pursuant to section 31-3pp and any other appropriate state program. Notwithstanding the provisions of section 32-5a regarding relocation limits, the department may require, as a condition of receiving financial assistance pursuant to this section, that a small business receiving such assistance shall not relocate, as defined in section 32-5a, for five years after receiving such assistance or during the term of the loan, whichever is longer. All other conditions and penalties imposed pursuant to section 32-5a shall continue to apply to such small business.

(c) The commissioner shall establish a streamlined application process for the Small Business Express program. The small business applicant may receive assistance pursuant to said program not later than thirty days after submitting a completed application to the department. Any small business meeting the eligibility criteria in subsection (a) of this section may apply to said program. The commissioner shall give priority for available funding to small businesses creating jobs and may give priority for available funding to (1) economic base industries, as defined in subsection (d) of section 32-222, including, but not limited to, those in the fields of precision manufacturing, business services, green and sustainable technology, bioscience and information technology, (2) businesses attempting to export their products or services to foreign markets, and (3) businesses located in designated innovation places, as defined in section 32-39j.

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(d) (1) There is established as part of the Small Business Express program a revolving loan fund to provide loans to eligible small businesses. Such loans shall be used for acquisition or purchase of machinery and equipment, construction or leasehold improvements, relocation expenses, working capital, which may be used for payment of rent, or other business-related expenses, as authorized by the commissioner.

(2) Loans from the revolving loan fund may be in amounts from ten thousand dollars to a maximum of one hundred thousand dollars, shall carry a maximum repayment rate of four per cent and shall be for a term of not more than ten years. The department shall review and approve loan terms, conditions and collateral requirements in a manner that prioritizes job growth and retention.

(3) Any eligible small business meeting the eligibility criteria in subsection (a) of this section may apply for assistance from the revolving loan fund, but the commissioner shall give priority to applicants that, as part of their business plan, are creating new jobs that will be maintained for not less than twelve consecutive months.

(e) (1) There is established as part of the Small Business Express program a job creation incentive component to provide loans for job creation to small businesses meeting the eligibility criteria in subsection (a) of this section, with the option of loan forgiveness based on the maintenance of an increased number of jobs for not less than twelve consecutive months. Such loans may be used for training, marketing, working capital, which may be used for payment of rent, or other expenses, as approved by the commissioner, that support job creation.

(2) Loans under the job creation incentive component may be in amounts from ten thousand dollars to a maximum of three hundred thousand dollars, shall carry a maximum repayment rate of four per

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cent and shall be for a term of not more than ten years. Payments on such loans may be deferred, and all or part of such loan may be forgiven, based upon the commissioner's assessment of the small business's attainment of job creation goals. The department shall review and approve loan terms, conditions and collateral requirements in a manner that prioritizes job creation.

(f) (1) There is established as part of the Small Business Express program a matching grant component to provide grants for capital to small businesses meeting the eligibility criteria in subsection (a) of this section. Such small businesses shall match any state funds awarded under this program. Grant funds may be used for ongoing or new training, working capital, which may be used for payment of rent, acquisition or purchase of machinery and equipment, construction or leasehold improvements, relocation within the state or other business-related expenses authorized by the commissioner.

(2) Matching grants provided under the matching grant component may be in amounts from ten thousand dollars to a maximum of one hundred thousand dollars. The commissioner shall prioritize applicants for matching grants based upon the likelihood that such grants will assist applicants in maintaining job growth.

(3) The commissioner may waive the matching requirement for grants under this subsection for working capital to small businesses located within distressed municipalities, as defined in section 32-9p.

(g) (1) There are established as part of the Small Business Express program not more than two revolving loan funds to provide loans to eligible small businesses that are owned by one or more members of a minority. As used in this subsection, (A) "minority business development entity" means a nonprofit organization (i) having a lending portfolio on or before June 9, 2016, from which at least seventy-five per cent of lending is provided to minority-owned

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businesses state-wide; and (ii) that provided technical assistance on or before June 9, 2016, provided at least seventy-five per cent of such assistance was provided to minority-owned businesses state-wide; and (B) "minority" means (i) Black Americans, including all persons having origins in any of the Black African racial groups not of Hispanic origin; (ii) Hispanic Americans, including all persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race; (iii) all persons having origins in the Iberian Peninsula, including Portugal, regardless of race; (iv) women; (v) Asian Pacific Americans and Pacific islanders; or (vi) American Indians and persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification.

(2) Notwithstanding the provisions of section 32-7h, the commissioner shall allocate from the available funding under the Small Business Express program a total of five million dollars for grants-in-aid to not more than two minority business development entities in each of the fiscal years ending June 30, 2016, to June 30, 2020, inclusive, for the purpose of establishing and administering minority business revolving loan funds. Moneys from such funds shall be used to (A) provide loans to eligible small businesses, and (B) fund the administrative costs associated with the provision of such loans by a minority business development entity, provided a minority business development entity may not use more than ten per cent of the amount received as a grant under this section to fund such costs. Such loans shall be used for acquisition or purchase of machinery and equipment, construction or leasehold improvements, relocation expenses, working capital, which may be used for payment of rent, or other business-related expenses, as authorized by the minority business development entity.

(3) Loans from a minority business revolving loan fund may be in

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amounts from ten thousand dollars to a maximum of one hundred thousand dollars, shall carry a maximum repayment rate of four per cent and shall be for a term of not more than ten years. The minority business development entity shall review and approve loan terms, conditions and collateral requirements in a manner that prioritizes job growth and retention.

(4) Any eligible small business owned by one or more members of a minority may apply for assistance from a minority business revolving loan fund, provided the minority business development entity shall give priority to applicants that, as part of their business plan, are creating new jobs that will be maintained for not less than twelve consecutive months.

(5) Loans from a minority business revolving fund shall be provided in such a manner that, on or before five years after the date such loan fund is established, the annual funds or revenues derived from investment income, loan repayments or any other sources received by the minority business development entity in connection with such loan fund is sufficient to fund the administrative costs associated with such loan fund.

(6) A minority business development entity receiving a grant pursuant to this subsection shall annually submit to the commissioner a financial audit of grant expenditures until all grant moneys have been expended by such entity. Any such audit shall be prepared by an independent auditor and if the commissioner finds that any such grant is used for purposes that are not in conformity with uses set forth in subdivisions (2) and (3) of this subsection, the commissioner may require repayment of such grant.

(h) The commissioner, in consultation with representatives from Connecticut-based banks and a banking industry association, may establish as part of the Small Business Express program a component

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operated in collaboration with Connecticut-based banks, which may include, but need not be limited to, loan guarantees, short-term loans used as a bridge to private sector financing and the transfer of loans issued under subsection (d) or (e) of this section. Any loans issued under such component shall be used for acquisition or purchase of machinery and equipment, construction or leasehold improvements, relocation expenses, working capital, which may be used for payment of rent, or other business-related expenses, as authorized by the commissioner. The provisions of subsections (d) to (g), inclusive, of this section shall not be construed to apply to such component. Such component shall be administered by the Department of Economic and Community Development. Notwithstanding the provisions of section 32-7h, the commissioner may allocate not more than ten per cent of available funding under the Small Business Express program to such component. For purposes of this section, "Connecticut-based banks" means banks and out-of-state banks, each as defined in section 36a-2, having deposit-taking branches in the state.

[(h)] (i) Not later than June 30, 2012, and every six months thereafter, the commissioner shall provide a report, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to finance, revenue and bonding, appropriations, commerce and labor. Such report shall include available data on (1) the number of small businesses that applied to the Small Business Express program, (2) the number of small businesses that received assistance under said program and the general categories of such businesses, (3) the amounts and types of assistance provided, (4) the total number of jobs on the date of application and the number proposed to be created or retained, and (5) the most recent employment figures of the small businesses receiving assistance. The contents of such report shall also be included in the department's annual report.

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Sec. 3. (*Effective October 1, 2017*) The Commissioner of Economic and Community Development shall include in the annual report due not later than February 1, 2018, under section 32-1m of the general statutes, as amended by this act: (1) A description of any program established pursuant to subsection (h) of section 32-7g of the general statutes, as amended by this act; and (2) the number of and extent to which Connecticut-based banks, as defined in said subsection, were consulted by the commissioner in the development of such fund.

Sec. 4. Section 32-1m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than February [1, 2006, and annually thereafter] first, annually, the Commissioner of Economic and Community Development shall submit a report to the Governor, the Auditors of Public Accounts and the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding and commerce, in accordance with the provisions of section 11-4a. Not later than thirty days after submission of the report, [to the Governor and the General Assembly,] said commissioner shall post the report on the Department of Economic and Community Development's web site. [Said] Such report shall include, but not be limited to, the following information with regard to the activities of the Department of Economic and Community Development and to business assistance or incentive programs not administered by the department, during the preceding state fiscal year:

(1) A brief description and assessment of the state's economy during such year, utilizing the most recent and reasonably available data, and including:

(A) Connecticut employment by industry;

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(B) Connecticut and national average unemployment; and

(C) Connecticut gross state product, by industry. [;]

[(D) Connecticut productivity, by industry, compared to the national average;

(E) Connecticut manufacturing activity;

(F) Identification of economic and competitive conditions affecting Connecticut's industry sectors, problems resulting from these conditions and state efforts to address the problems;

(G) A brief summary of Connecticut's competitiveness as a place for business, which shall include, but not be limited to, an evaluation of (i) how the programs and policies of state government affect the state economy and state business environment, (ii) the ability of the state to retain and attract businesses, (iii) the steps taken by other states to improve the competitiveness of such states as places for business, and (iv) programs and policies the state could implement to improve the competitiveness of the state in order to encourage economic growth; and

(H) Any other economic information that the commissioner deems appropriate.

(2) A statement of the department's economic and community development objectives, measures of program success and standards for granting financial and nonfinancial assistance under programs administered by the department.]

[(3)] (2) An analysis of the economic development portfolio of the department, including, but not limited to, each business assistance or incentive program, including any business tax credit or abatement program, grant, loan, forgivable loan or other form of assistance,

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enacted for the purpose of improving economic development. The analysis shall include:

[(A) A list of the names, addresses and locations of all recipients of the department's assistance;

(B) The following information concerning each recipient of such assistance:]

(A) The Internet web site address of the state's open data portal and an indication of where the name, address and location of each recipient of the department's assistance is published on the site along with the following information concerning each recipient: (i) Business activities, (ii) standard industrial classification codes or North American industrial classification codes, [(iii) number of full-time jobs and part-time jobs at the time of application, (iv) number of actual full-time jobs and actual part-time jobs during the preceding state fiscal year, (v)] (iii) whether the recipient is a minority or woman-owned business, [(vi)] (iv) a summary of the terms and conditions for the assistance, including the type and amount of state financial assistance [,] and job creation or retention requirements, [and anticipated wage rates, (vii)] (v) the amount of investments from private and other nonstate sources that have been leveraged by the assistance, [(viii) the extent to which employees of the recipient participate in health benefit plans offered by such recipient, (ix) the extent to which the recipient offers unique economic, social, cultural or aesthetic attributes to the municipality in which the recipient is located or to the state, and (x)] and (vi) the amount of state investment;

[(C)] (B) A portfolio analysis, including [(i)] an analysis of the wages paid by recipients of financial assistance [, (ii) the average portfolio wage, median portfolio wage, highest and lowest portfolio wage, (iii) portfolio wage data by industry, and (iv) portfolio wage data by municipality] by industry;

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[(D)] (C) An investment analysis, including (i) total portfolio value, (ii) total investment by industry, (iii) portfolio dollar per job average, (iv) portfolio leverage ratio; [, and (v) percentage of financial assistance which was provided to high performance work organizations in the preceding state fiscal year; and]

[(E)] (D) An overview of the business assistance and incentive programs administered by the department and an analysis of [the] their estimated economic [effects of the department's economic development investments on the state's economy, including (i) contribution to gross state product for the total economic development portfolio and for any investment activity occurring in the preceding state fiscal year, (ii) direct and indirect employment created by the investments for the total portfolio and for any investment activity occurring in the preceding state fiscal year, (iii) productivity of recipients of financial assistance as a result of the department's investment occurring in the preceding state fiscal year, (iv) directly or indirectly increased property values in the municipalities in which the recipients of assistance are located, and (v) personal income.] impact on the state's economy. The analysis shall include, for each business assistance or incentive program for which such data is available, the number of new jobs created, the borrowing cost to the state and the estimated impact of such program on annual state revenues;

(E) An analysis of whether the statutory and programmatic goals of each business or incentive program are being met, with obstacles to such goals identified, if possible;

(F) (i) Recommendations as to whether any existing business assistance or incentive program should be continued, modified or repealed and the basis or bases for such recommendations, and (ii) any recommendations for additional data collection by the state to better inform future evaluations of such programs; and

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(G) The methodologies and assumptions used in carrying out the analyses under this subdivision.

[(4)] (3) An analysis of the community development portfolio of the department, including:

[(A)] A list of the names, addresses and locations of all recipients of the department's assistance;

(B) The following information concerning each recipient of such assistance:]

(A) The Internet web site address of the state's open data portal and an indication of where the name, address and location of each recipient of the department's assistance is published on the site along with the following information concerning each recipient: (i) Amount of state investment, (ii) a summary of the terms and conditions for the department's assistance, including the type and amount of state financial assistance, and (iii) the amount of investments from private and other nonstate sources that have been leveraged by such assistance; and

[(C)] (B) An investment analysis, including (i) total active portfolio value, (ii) total investments made in the preceding state fiscal year, [(iii) total portfolio by municipality, (iv) total investments made in the preceding state fiscal year categorized by municipality, (v)] and (iii) total portfolio leverage ratio. [, and (vi) leverage ratio of the total investments made in the preceding state fiscal year; and]

[(D)] An analysis of the estimated economic effects of the department's economic development investments on the state's economy, including (i) contribution to gross state product for the total portfolio and for any investment activity occurring in the preceding state fiscal year, (ii) direct and indirect employment created by the investments for the total portfolio and for any investment activity

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occurring in the preceding state fiscal year, (iii) productivity of recipients of financial assistance as a result of the department's investment occurring in the preceding state fiscal year, (iv) directly or indirectly increased property values in the municipalities in which the recipients are located, and (v) personal income.]

(4) An analysis of each business assistance or incentive program, including any business tax credit or abatement program, grant, loan, forgivable loan or other form of assistance, enacted for the purpose of improving economic development, that (A) (i) had ten or more recipients of assistance in the preceding state fiscal year, or (ii) credited, abated or distributed more than one million dollars in the preceding state fiscal year, and (B) is not administered by the department. The analysis shall include:

(i) An overview of the business assistance or incentive program and an analysis of its estimated economic effects on the state's economy, including, for each program where such data is available, the number of new jobs created and the estimated impact of such program on annual state revenues;

(ii) An analysis of whether the statutory and programmatic goals of each business assistance or incentive program are being met, with obstacles to such goals identified, if possible;

(iii) Recommendations as to whether any such existing business assistance or incentive program should be continued, modified or repealed and the basis or bases for such recommendations, and any recommendations for additional data collection by the state to better inform future evaluations of such programs; and

(iv) The methodologies and assumptions used in carrying out the analysis under this subdivision.

[(5) A summary of the department's economic and community

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development marketing efforts in the preceding state fiscal year, a summary of the department's business recruitment strategies and activities in such year, and a summary of the department's efforts to assist small businesses and minority business enterprises in such year.]

[(6)] (5) A summary of the department's international trade efforts in the preceding state fiscal year, and, to the extent possible, a summary of foreign direct investment that occurred in the state in such year.

[(7)] Identification of existing economic clusters, the formation of new economic clusters, the measures taken by the commissioner during the preceding state fiscal year to encourage the growth of economic clusters and the amount of bond funds expended by the department during the previous fiscal year on each economic cluster.

(8) (A) A summary of the department's brownfield-related efforts and activities within the Office of Brownfield Remediation and Development established pursuant to subsections (a) to (d), inclusive, of section 32-761 in the preceding state fiscal year, except for activity under the Special Contaminated Property Remediation and Insurance Fund program. Such efforts shall include, but not be limited to, (i) total portfolio investment in brownfield remediation projects, (ii) total investment in brownfield remediation projects in the preceding state fiscal year, (iii) total number of brownfield remediation projects, (iv) total number of brownfield remediation projects in the preceding state fiscal year, (v) total of reclaimed and remediated acreage, (vi) total of reclaimed and remediated acreage in the preceding state fiscal year, (vii) leverage ratio for the total portfolio investment in brownfield remediation projects, and (viii) leverage ratio for the total portfolio investment in brownfield remediation projects in the preceding state fiscal year. Such summary shall include a list of such brownfield remediation projects and, for each such project, the name of the developer and the location by street address and municipality and a

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tracking of all funds administered through or by said office;

(B) A summary of the department's efforts with regard to the Special Contaminated Property Remediation and Insurance Fund, including, but not limited to, (i) the number of applications received in the preceding state fiscal year, (ii) the number and amounts of loans made in such year, (iii) the names of the applicants for such loans, (iv) the average time period between submission of application and the decision to grant or deny the loan, (v) a list of the applications approved and the applications denied and the reasons for such denials, and (vi) for each project, the location by street address and municipality; and

(C) A summary of the department's efforts with regard to the dry cleaning grant program, established pursuant to section 12-263m, including, but not limited to, (i) information as to the number of applications received, (ii) the number and amounts of grants made since the inception of the program, (iii) the names of the applicants, (iv) the time period between submission of application and the decision to grant or deny the loan, (v) which applications were approved and which applications were denied and the reasons for any denials, and (vi) a recommendation as to whether the surcharge and grant program established pursuant to section 12-263m should continue.

(9) The following information concerning enterprise zones designated under section 32-70:

(A) A statement of the current goals for enterprise zones;

(B) A statement of the current performance standards to measure the progress of municipalities that have enterprise zones in attaining the goals for such zones;

(C) A report from each municipality that has an enterprise zone,

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which evaluates the progress of the municipality in meeting the performance standards established under section 32-70a; and

(D) An assessment of the performance of each enterprise zone based on information collected under subparagraph (C) of this subdivision.

(10) With regard to the grant program designated pursuant to sections 32-324a to 32-324e, inclusive, an assessment of program performance.

(11) With regard to the fuel diversification program designated pursuant to section 32-324g, an assessment of program performance.

(12) An assessment of the performance of the Connecticut qualified biodiesel producer incentive account grant program established pursuant to sections 32-324a to 32-324e, inclusive.

(13) An assessment of the performance of the fuel diversification grant program established pursuant to section 32-324g.]

[(14)] (6) A summary of the total social and economic impact of the department's efforts and activities in the areas of economic and community development, and an assessment of the department's performance in terms of meeting its stated goals and objectives.

[(15) With regard to the Connecticut Credit Consortium established pursuant to section 32-9yy, a summary of the activity of such program, including, but not limited to, the number of loans and lines of credit applied for and approved, the size of the businesses, the amount of the loans or lines of credit, and the amount repaid to date.

(16) With regard to the office of the permit ombudsman, established pursuant to section 32-726:

(A) The names of applicants for expedited review;

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(B) The date of request for expedited review;

(C) The basis upon which the applicant claimed eligibility for expedited review;

(D) State agencies that participated in the permit review process;

(E) The dates on which the permit was granted or denied via the expedited review process or the date the applicant was determined not to be eligible for expedited review; and

(F) If applicable, the reason the applicant was determined not to be eligible for the expedited review process.]

[(17)] (7) With regard to the Small Business Express program established pursuant to section 32-7g, as amended by this act, data on (A) the number of small businesses that applied to the Small Business Express program, (B) the number of small businesses that received assistance under said program and the general categories of such businesses, (C) the amounts and types of assistance provided, (D) the total number of jobs on the date of application and the number proposed to be created or retained, and (E) the most recent employment figures of the small businesses receiving assistance.

[(18)] (8) With regard to airport development zones established pursuant to section 32-75d, a summary of the economic and cost benefits of each zone and any recommended revisions to any such zones.

(9) An overview of the department's activities related to tourism, the arts and historic preservation.

(10) An overview of the department's activities concerning digital media, motion pictures and related production activity, and an analysis of the use of the film production tax credit established under

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section 12-217jj, the entertainment industry infrastructure tax credit established under section 12-217kk and the digital animation production tax credit established under section 12-217ll, including the amount of any tax credit issued under said sections and the total amount of production expenses or costs incurred in the state by the taxpayer who was issued such a tax credit.

(11) A summary of the department's and the office of the permit ombudsman's brownfield-related efforts and activities in the preceding fiscal year.

(12) A summary of the department's dry cleaning establishment remediation account activities in the preceding fiscal year.

(b) Any annual report that is required from the department by any provision of the general statutes shall be incorporated into the annual report [provided] submitted pursuant to subsection (a) of this section.

(c) On or before March 1, 2018, and annually thereafter, the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding and commerce shall hold, individually or jointly, one or more public hearings on the analyses included in the annual report under subdivisions (3) and (5) of subsection (a) of this section.

Sec. 5. (NEW) (*Effective from passage*) (a) As used in this section:

(1) "Annual report" means the report required under subsection (a) of section 32-1m of the general statutes, as amended by this act;

(2) "Incentive programs" means every business assistance or incentive program, including any business tax credit or abatement program, grant, loan, forgivable loan or other form of assistance, enacted for the purpose of improving economic development; and

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(3) "Performance audit" means an examination of performance that provides findings or conclusions to determine effectiveness in achieving expressed legislative purposes.

(b) As part of each audit the Auditors of Public Accounts perform of the Department of Economic and Community Development or as a stand-alone audit, said auditors shall conduct a performance audit of incentive programs, in such order and frequency as said auditors deem necessary. Said auditors shall conduct any such performance audit in accordance with generally accepted government auditing standards or by another method said auditors deem appropriate.

(c) As part of each audit the Auditors of Public Accounts perform of the Department of Economic and Community Development, said auditors shall evaluate the annual reports submitted by the Commissioner of Economic and Community Development since the last audit performed of the department by said auditors and the analyses required under subdivisions (3) and (5) of subsection (a) of section 32-1m of the general statutes, as amended by this act, and included in such annual reports. Such evaluation shall include, but need not be limited to:

(1) A determination of whether evidence is available to support the accuracy of the data presented in such annual reports;

(2) An evaluation of management practices and operations with respect to the ease or difficulty for taxpayers to comply with the requirements of the incentive programs;

(3) Recommendations for improving the administrative efficiency or effectiveness of the incentive programs; and

(4) An evaluation of whether such annual reports satisfy the reporting requirements under subsection (a) of section 32-1m of the general statutes, as amended by this act.

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(d) (1) The Auditors of Public Accounts shall submit a report, in accordance with section 11-4a of the general statutes, of the performance audit and evaluation required, pursuant to subsections (b) and (c) of this section, as part of each audit said auditors perform of the Department of Economic and Community Development, to the Governor, the Secretary of the Office of Policy and Management and the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding and commerce. Such report may be submitted as part of the audit report of the Department of Economic and Community Development that said auditors issue pursuant to section 2-90 of the general statutes.

(2) The Auditors of Public Accounts shall submit a report, in accordance with section 11-4a of the general statutes, of any stand-alone performance audit conducted pursuant to subsection (b) of this section, to the Governor, the Secretary of the Office of Policy and Management and the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding and commerce.

(e) Said committees shall hold, individually or jointly, one or more public hearings on a report submitted pursuant to subsection (d) of this section.

Sec. 6. (NEW) (*Effective from passage*) (a) There is established a Minority Business Initiative Advisory Board, which shall be within the Department of Economic and Community Development. The advisory board shall: (1) Advise the Commissioner of Economic and Community Development with regard to increasing the availability of technical assistance, access to capital and access to state contracts to minority-owned businesses; and (2) develop and administer programs to foster financial literacy, minority employment and

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entrepreneurship, which may include, but need not be limited to, internship and externship programs, apprenticeship programs, entrepreneurship programs and subsidies to employers for job creation.

(b) The advisory board shall consist of the following members:

(1) Four appointed by the Commissioner of Economic and Community Development, in consultation with members of the minority business community. Each such appointee shall: (A) Have skill, knowledge and experience in business and business development, procurement, and state and federal contracting; (B) have skill, knowledge and experience in developing minority-owned businesses; (C) be a member of or hold an office in a community organization serving minority populations that has economic development, including, but not limited to, business and entrepreneurial development, as part of its mission; (D) have business development education and training expertise; (E) represent a business or organization that primarily engages in business development; or (F) own a business;

(2) One appointed by the speaker of the House of Representatives;

(3) One appointed by the president pro tempore of the Senate;

(4) One appointed by the minority leader of the House of Representatives;

(5) One appointed by the minority leader of the Senate; and

(6) The Commissioner of Economic and Community Development, or the commissioner's designee.

(c) All appointments to the task force shall be made not later than September 1, 2017. Members shall serve a two-year term and may not

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serve more than three such terms consecutively, except that each member shall hold office until a successor is appointed. Any vacancy shall be filled by the appointing authority.

(d) The commissioner shall schedule the first meeting of the advisory board not later than September 30, 2017. The advisory board shall elect a chairperson from among its members. The advisory board shall meet at such times as the chairperson deems necessary.

(e) No member of the advisory board shall receive compensation for such member's services.

Sec. 7. (*Effective from passage*) Notwithstanding the provisions of section 32-7h of the general statutes, the commissioner shall allocate the following amounts from the small business express assistance account, established pursuant to said section, to the Minority Business Initiative Advisory Board established pursuant to section 6 of this act: (1) Two million dollars for the fiscal year ending June 30, 2018, and (2) one million dollars for the fiscal year ending June 30, 2019. The advisory board may use not more than five per cent of the allocation in each fiscal year for the administrative costs of performing the duties described in subsection (a) of section 6 of this act.

Sec. 8. Section 32-1p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

[(a)] With respect to digital media and motion picture activities, the Department of Economic and Community Development shall have the following powers and duties:

(1) To promote the use of Connecticut locations, structures, facilities and services for the production and postproduction of all digital media and motion pictures and other media-related products;

(2) To provide support services to visiting and in-state production

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companies, including assistance to digital media and motion picture producers in securing permits from state agencies, authorities or institutions or municipalities or other political subdivisions of the state;

(3) To develop and update a resource library concerning the many possible state sites which are suitable for production;

(4) To develop and update a production manual of available digital media and motion picture production facilities and services in the state;

(5) To conduct and attend trade shows and production workshops to promote Connecticut locations and facilities;

(6) To prepare an explanatory guide showing the impact of relevant state and municipal tax statutes, regulations and administrative opinions on typical production activities and to implement the tax credits provided for in sections 12-217jj, 12-217kk and 12-217ll;

(7) To formulate and propose guidelines for state agencies for a "one stop permitting" process for matters, including, but not limited to, the use of state roads and highways, the use of state-owned real or personal property for production activities and the conduct of regulated activities, and to hold workshops to assist state agencies in implementing such process;

(8) To formulate and recommend to municipalities model local ordinances and forms to assist production activities, including, but not limited to, "one stop permitting" of digital media and motion picture and other production activity to be conducted in a municipality, and to hold workshops to assist municipalities in implementing such ordinances;

(9) To accept any funds, gifts, donations, bequests or grants of funds

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from private and public sources for the purposes of this section;

(10) To request and obtain from any state agency, authority or institution or any municipality or other political subdivision of the state such assistance and data as will enable the department to carry out the purposes of this section;

(11) To assist and promote cooperation among all segments of management and labor that are engaged in digital media and motion pictures; and

(12) To take any other administrative action which may improve the position of the state's digital media and motion picture production industries in national and international markets.

[(b) On or before January 1, 2010, and annually thereafter, the Department of Economic and Community Development shall submit to the joint standing committees of the General Assembly having cognizance of matters relating to commerce and finance, revenue and bonding, in accordance with section 11-4a, a report on the activities of the department under this section and the estimated direct and indirect economic impact of all digital media, motion pictures and related production activity in the state, during the preceding calendar year. Each such report shall include, but not be limited to, an analysis of the use of the film production tax credit established under section 12-217jj, the entertainment industry infrastructure tax credit established under section 12-217kk and the digital animation production tax credit established under section 12-217ll, and shall include a description of each production or project for which a tax credit has been issued, the amount of any such tax credit and the total amount of production expenses or costs incurred in the state by the taxpayer who was issued such a tax credit and any other information that may be requested by a chairperson of the joint standing committees of the General Assembly having cognizance of matters

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relating to commerce and finance, revenue and bonding.]

Sec. 9. Section 32-1o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) On or before July 1, 2015, and every four years thereafter, the Commissioner of Economic and Community Development, within available appropriations, shall prepare an economic development strategic plan for the state in consultation with the Secretary of the Office of Policy and Management, the Commissioners of Energy and Environmental Protection and Transportation, the Labor Commissioner, the chairperson of the Culture and Tourism Advisory Committee, the executive directors of the Connecticut Housing Finance Authority and the Connecticut Health and Educational Facilities Authority, and the chief executive officer of Connecticut Innovations, Incorporated, or their respective designees, and any other agencies the Commissioner of Economic and Community Development deems appropriate.

(b) In developing the plan, the Commissioner of Economic and Community Development shall:

(1) Ensure that the plan is consistent with (A) the text and locational guide map of the state plan of conservation and development adopted pursuant to chapter 297, and (B) the state's consolidated plan for housing and community development prepared pursuant to section 8-37t;

(2) Consult regional councils of governments, regional planning organizations, regional economic development agencies, interested state and local officials, entities involved in economic and community development, stakeholders and business, economic, labor, community and housing organizations;

(3) Consider (A) regional economic, community and housing

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development plans, and (B) applicable state and local workforce investment strategies;

(4) Assess and evaluate the economic development challenges and opportunities of the state and against the economic development competitiveness of other states and regions; and

(5) Host regional forums to provide for public involvement in the planning process.

(c) The strategic plan required under this section shall include, but not be limited to, the following:

(1) A review and evaluation of the economy of the state, [Such review and evaluation shall include, but not be limited to, a sectoral analysis, housing market and housing affordability analysis, labor market and labor quality analysis, demographic analysis and historic trend analysis and projections] including its strengths;

(2) A review and analysis of factors, issues and forces that impact or impede economic development and responsible growth in Connecticut and its constituent regions; [Such factors, issues or forces shall include, but not be limited to, transportation, including, but not limited to, commuter transit, rail and barge freight, technology transfer, brownfield remediation and development, health care delivery and costs, early education, primary education, secondary and postsecondary education systems and student performance, business regulation, labor force quality and sustainability, social services costs and delivery systems, affordable and workforce housing cost and availability, land use policy, emergency preparedness, taxation, availability of capital and energy costs and supply;]

[(3) Identification and analysis of economic clusters that are growing or declining within the state;]

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[(4)] (3) An analysis of targeted industry sectors in the state that (A) identifies those industry sectors that are of current or future importance to the growth of the state's economy and to its global competitive position, (B) identifies what those industry sectors need for continued growth, and (C) identifies those industry sectors' current and potential impediments to growth;

[(5)] A review and evaluation of the economic development structure in the state, including, but not limited to, (A) a review and analysis of the past and current economic, community and housing development structures, budgets and policies, efforts and responsibilities of its constituent parts in Connecticut, and (B) an analysis of the performance of the current economic, community and housing development structure, and its individual constituent parts, in meeting its statutory obligations, responsibilities and mandates and their impact on economic development and responsible growth in Connecticut;]

[(6)] (4) Establishment and articulation of a vision for Connecticut that identifies where the state should be in [five, ten, fifteen and twenty years] the future;

[(7)] (5) Establishment of prioritized, clear and measurable goals and objectives for the state and regions [, to meet the short and long-term goals established under this section and provide] and clear steps and strategies to achieve said goals and objectives, [including, but not limited to, the following] which may include, but shall not be limited to: (A) The promotion of economic development and opportunity, (B) the fostering of effective transportation access and choice including the use of airports and ports for economic development, (C) enhancement and protection of the environment, (D) maximization of the effective development and use of the workforce consistent with applicable state or local workforce investment strategy, (E) promotion of the use of technology in economic development, including access to high-speed

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telecommunications, and (F) the balance of resources through sound management of physical development;

[(8)] (8) Prioritization of goals and objectives established under this section;]

[(9)] (6) Establishment of relevant measures that clearly identify and quantify (A) whether a goal and objective is being met at the state, regional, local and private sector level, and (B) cause and effect relationships, and provide a clear and replicable measurement methodology;

[(10)] (7) Recommendations on how the state can best achieve goals under the strategic plan; [and provide cost estimates for implementation of the plan and the projected return on investment for those areas;] and

[(11)] A review and evaluation of the operation and efficacy of the urban jobs program established pursuant to sections 32-9i to 32-9l, inclusive, enterprise zones established pursuant to section 32-70, railroad depot zones established pursuant to section 32-75a, qualified manufacturing plants designated pursuant to section 32-75c, entertainment districts established pursuant to section 32-76 and enterprise corridor zones established pursuant to section 32-80. The review and evaluation of enterprise zones shall include an analysis of enterprise zones that have been expanded to include an area in a contiguous municipality or in which there are base or plant closures;

(12) An assessment of program performance with regard to the development, research and economic assistance matching grant program established pursuant to section 32-345; and]

[(13)] (8) Any other responsible growth information that the commissioner deems appropriate.

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(d) On or before July 1, [2009] 2019, and every [five] four years thereafter, the Commissioner of Economic and Community Development shall submit [an] the economic development strategic plan for the state to the Governor for approval. The Governor shall review and approve or disapprove such plan not more than sixty days after submission. The plan shall be effective upon approval by the Governor or sixty days after the date of submission.

(e) Upon approval, the commissioner shall submit the economic development strategic plan to the joint standing committees of the General Assembly having cognizance of matters relating to commerce, planning and development, appropriations and the budgets of state agencies and finance, revenue and bonding. Not later than thirty days after such submission, the commissioner shall post the plan on the web site of the Department of Economic and Community Development.

(f) The commissioner, from time to time, may revise and update the strategic plan upon approval of the Governor. The commissioner shall post any such revisions on the web site of the Department of Economic and Community Development.

Sec. 10. Section 12-263m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) As used in this section: (1) "Eligible dry cleaning establishment" means any place of business engaged in the cleaning of clothing or other fabrics using tetrachlorethylene, Stoddard solvent or other chemicals or any place of business that accepts clothing or other fabrics to be cleaned by another establishment using such chemicals, (2) "gross receipts at retail" means the total amount accruing from dry cleaning services at retail, valued in money, without any deduction for the cost of the materials used, labor or service cost or any other expense, and (3) "eligible applicant" means (A) a business owner or operator of an eligible dry cleaning establishment, or (B) an owner of property that is

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or that was occupied by an eligible dry cleaning establishment.

(b) (1) There shall be paid to the Commissioner of Revenue Services by each dry cleaning establishment a surcharge of one per cent of its gross receipts at retail for any dry cleaning service performed on or after January 1, 1995. Each dry cleaning establishment shall register with the Commissioner of Revenue Services on forms prescribed by the commissioner. Each dry cleaning establishment that is registered with the commissioner shall renew its registration with the commissioner on October 1, 2015, and annually thereafter, in such manner as the commissioner may prescribe. The commissioner shall send a nonrenewal notice by first class mail to each dry cleaning establishment that fails to renew its registration in accordance with the provisions of this subsection. No dry cleaning establishment may engage in or transact business as a dry cleaning establishment unless it is registered with the commissioner in accordance with the provisions of this subsection.

(2) (A) Any dry cleaning establishment that fails to register with the commissioner in accordance with the provisions of this subsection shall pay a penalty of one thousand dollars, which penalty shall not be subject to waiver.

(B) Any dry cleaning establishment that fails to renew its registration within forty-five days after a nonrenewal notice was sent pursuant to subdivision (1) of this subsection shall pay a penalty of two hundred dollars, which the commissioner may waive in the manner set forth in section 12-3a, when it is proven to the commissioner's satisfaction that the failure to register was due to reasonable cause and was not intentional or due to neglect. No penalty may be assessed under this subparagraph more than once during any registration period.

(3) Each dry cleaning establishment shall submit a return quarterly

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to the Commissioner of Revenue Services, applicable with respect to the calendar quarter beginning January 1, 1995, and each calendar quarter thereafter, on or before the last day of the month immediately following the end of each such calendar quarter, on a form prescribed by the commissioner, together with payment of the quarterly surcharge determined and payable in accordance with the provisions of this section. Whenever such surcharge is not paid when due, a penalty of ten per cent of the amount due or fifty dollars, whichever is greater, shall be imposed, and such surcharge shall bear interest at the rate of one per cent per month or fraction thereof until the same is paid. The Commissioner of Revenue Services shall cause copies of a form prescribed for submitting returns as required under this section to be distributed to persons subject to the surcharge. Failure to receive such form shall not be construed to relieve anyone subject to the surcharge under this section from the obligations of submitting a return, together with payment of such surcharge within the time required. The provisions of sections 12-548 to 12-554, inclusive, and sections 12-555a and 12-555b shall apply to the provisions of this section in the same manner and with the same force and effect as if the language of said sections 12-548 to 12-554, inclusive, and sections 12-555a and 12-555b had been incorporated in full into this section and had expressly referred to the surcharge imposed under this section, except to the extent that any such provision is inconsistent with a provision of this section and except that the term "tax" shall be read as "dry cleaning establishment surcharge".

(4) Any moneys received by the state pursuant to this section shall be deposited into the account established pursuant to subsection (c) of this section.

(c) There is established an account within the General Fund to be known as the "dry cleaning establishment remediation account". Said account shall contain any moneys required by law to be deposited in

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the account. Any balance remaining in the account at the end of any fiscal year shall be carried forward in the account for the fiscal year next succeeding. The account shall be used by the Department of Economic and Community Development for grants made to owners or operators of eligible dry cleaning establishments or owners of property on which an eligible dry cleaning establishment has been in operation for at least a year prior to the approval of the application or was previously operated for at least a year prior to such approval.

(d) The state, acting through the Commissioner of Economic and Community Development, shall use the dry cleaning establishment remediation account to provide grants to applicants for the purposes of the containment and removal or mitigation of environmental pollution resulting from the discharge, spillage, uncontrolled loss, seepage or filtration of chemical liquids or solid, liquid or gaseous products or hazardous wastes on or at the site of an eligible dry cleaning establishment or for measures undertaken to prevent such pollution which are approved by the Commissioner of Energy and Environmental Protection. In order to qualify for a grant under the provisions of this section an eligible applicant must demonstrate to the satisfaction of the Commissioner of Economic and Community Development that (1) the eligible dry cleaning establishment is using or previously used, tetrachlorethylene or Stoddard solvent or other chemicals for the purpose of cleaning clothes or other fabrics, (2) the eligible dry cleaning establishment has been doing business or did business at the site for a period of at least one year prior to the submission date or approval date of the application for assistance under this section, (3) the eligible dry cleaning establishment or owner of property is not in arrears with regard to any tax levied by the state or any political subdivision of the state and the dry cleaning surcharge imposed by subsection (b) of this section, and (4) the eligible applicant is not in arrears with regard to any tax levied by the state or any political subdivision of the state. Any funds disbursed as a grant under

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this section shall not be subject to attachment in the satisfaction of any judgment against the recipient of such grant in any civil action.

(e) Notwithstanding the terms of any grant made under this section, an eligible applicant shall bear all the costs of such pollution that are less than ten thousand dollars. The Commissioner of Economic and Community Development may provide a grant of up to three hundred thousand dollars to the eligible applicant where the eligible applicant has provided said commissioner with documentation satisfactory to said commissioner that the services for which payment is sought have been or will be completed. No eligible applicant shall receive more than three hundred thousand dollars per eligible dry cleaning establishment. In addition, the account may be used (1) to provide grants to the Department of Energy and Environmental Protection for expenditures made investigating dry cleaning establishments, (2) to provide potable water whenever necessary, and (3) to conduct environmental site assessments.

(f) Requests for grants shall be made to the Commissioner of Economic and Community Development. Any eligible applicant seeking a grant shall provide documentation supporting the need for the grant.

(g) Any dry cleaning establishment which unlawfully or intentionally discharges or spills any chemical liquids or solid, liquid or gaseous products or hazardous wastes shall not be eligible for a grant from the account.

(h) The Commissioner of Economic and Community Development shall establish procedures for distribution of the grants and shall adopt criteria to carry out the provisions of this section. Such criteria shall specify (1) who may apply for grants; (2) how establishments, whether owned or leased, will be determined to be eligible for grants; (3) the costs for which grants may be made; and (4) a method for ensuring

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timely payment of funds to grant recipients.

[(i) The Commissioner of Economic and Community Development shall include in the report required pursuant to section 32-1m an annual report that shall include information as to the number of applications received, and the number and amounts of grants made, since the inception of the program, the names of the applicants, the time period between submission of an application and the decision to approve or deny the grant, which applications were approved and which applications were denied and the reasons for denial. Such report shall further include a recommendation as to whether the surcharge and the grant program established under this section should continue.]

Sec. 11. Section 32-58 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

The Department of Economic and Community Development shall advise and cooperate with any municipal or regional agency, commission or authority responsible for economic planning in order to formulate and implement plans to reduce the dependency of a municipal or regional economy on prime defense contracts and to alleviate the effects of a possible prime defense contract cutback. [The Commissioner of Economic and Community Development shall submit on or before September first of each year to the Governor and the General Assembly a report which evaluates the extent to which the economy of the state is dependent on prime defense contracts, designates the municipalities or regions whose economies are particularly dependent on prime defense contracts, describes the adequacy of the steps being taken to meet potential problems resulting from such dependency and shall include recommendations as to the need for further legislative and administrative action to reduce such dependency and to aid areas which have been or may be impacted by prime defense contract cutbacks.]

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Sec. 12. Section 10-95h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):

(a) Not later than November thirtieth each year, the joint standing committees of the General Assembly having cognizance of matters relating to education, higher education and employment advancement and labor shall meet with the chairperson of the technical high school system board and the superintendent of the technical high school system, the Labor Commissioner, the Commissioner of Economic and Community Development and such other persons as they deem appropriate to consider the items submitted pursuant to subsection (b) of this section.

(b) On or before November fifteenth, annually:

(1) The Labor Commissioner shall submit the following to the joint standing committees of the General Assembly having cognizance of matters relating to education, higher education and employment advancement and labor: (A) Information identifying general economic trends in the state; (B) occupational information regarding the public and private sectors, such as continuous data on occupational movements; and (C) information identifying emerging regional, state and national workforce needs over the next thirty years.

(2) The superintendent of the technical high school system shall submit the following to the joint standing committees of the General Assembly having cognizance of matters relating to education, higher education and employment advancement and labor: (A) Information ensuring that the curriculum of the technical high school system is incorporating those workforce skills that will be needed for the next thirty years, as identified by the Labor Commissioner in subdivision (1) of this subsection, into the technical high schools; (B) information regarding the employment status of students who graduate from or complete an approved program of study at the technical high school

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system, including, but not limited to: (i) Demographics such as age and gender, (ii) course and program enrollment and completion, (iii) employment status, and (iv) wages prior to enrolling and after graduating; (C) an assessment of the adequacy of the resources available to the technical high school system as the system develops and refines programs to meet existing and emerging workforce needs; (D) recommendations to the technical high school system board to carry out the provisions of subparagraphs (A) to (C), inclusive, of this subdivision; and (E) information regarding staffing at each technical high school for the current academic year. The superintendent of the technical high school system shall collaborate with the Labor Commissioner to obtain information as needed to carry out the provisions of this subsection.

[(3) The Commissioner of Economic and Community Development shall submit the following to the joint standing committees of the General Assembly having cognizance of matters relating to education, higher education and employment advancement and labor: (A) Information regarding the relationship between the Department of Economic and Community Development and the technical high school system, (B) information regarding coordinated efforts of the department and the technical high school system to collaborate with the business community, (C) information on workforce training needs identified by the department through its contact with businesses, (D) recommendations regarding how the department and the technical high school system can coordinate or improve efforts to address the workforce training needs identified in subparagraph (C) of this subdivision, (E) information regarding the efforts of the department to utilize the technical high school system in business assistance and economic development programs offered by the department, and (F) any additional information the commissioner deems relevant.]

Sec. 13. Section 32-1r of the general statutes is repealed. (*Effective*

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from passage)

Sec. 14. Section 31-362 of the general statutes is repealed. (*Effective October 1, 2017*)

Approved July 11, 2017